

111TH CONGRESS  
1ST SESSION

# H. R. 480

To establish the St. Augustine 450th Commemoration Commission, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2009

Mr. MICA (for himself, Mr. BILIRAKIS, Mr. BOYD, Ms. CORRINE BROWN of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. BUCHANAN, Ms. CASTOR of Florida, Mr. CRENSHAW, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. GRAYSON, Mr. HASTINGS of Florida, Mr. KLEIN of Florida, Ms. KOSMAS, Mr. MACK, Mr. MEEK of Florida, Mr. MILLER of Florida, Mr. POSEY, Mr. PUTNAM, Mr. ROONEY, Ms. ROS-LEHTINEN, Mr. STEARNS, Ms. WASSERMAN SCHULTZ, Mr. WEXLER, and Mr. YOUNG of Florida) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## A BILL

To establish the St. Augustine 450th Commemoration Commission, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “St. Augustine 450th  
5 Commemoration Commission Act of 2009”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to establish the St. August-  
3 tine 450th Commemoration Commission to—

4 (1) ensure a suitable national observance of the  
5 450th anniversary of the city of St. Augustine by  
6 complementing the programs and activities of the  
7 State of Florida and the city of St. Augustine;

8 (2) cooperate with and assist in the programs  
9 and activities of the State of Florida in observance  
10 of the 450th anniversary of St. Augustine;

11 (3) assist in ensuring that the St. Augustine  
12 450th anniversary observances provide an excellent  
13 visitor experience and beneficial interaction between  
14 visitors and the natural and cultural resources of the  
15 St. Augustine sites;

16 (4) assist in ensuring that the St. Augustine  
17 450th anniversary observances are inclusive and ap-  
18 propriately recognize the experiences of all peoples in  
19 St. Augustine's history;

20 (5) provide assistance in the development of St.  
21 Augustine-related programs and activities;

22 (6) facilitate international involvement in the  
23 St. Augustine 450th anniversary observances;

24 (7) support and facilitate marketing efforts for  
25 a commemorative coin, stamp, and related activities

1 for the St. Augustine 450th anniversary observ-  
2 ances; and

3 (8) assist in the appropriate development of  
4 heritage tourism and economic benefits to the  
5 United States through the commemoration of the  
6 450th anniversary of the city of St. Augustine.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) **COMMEMORATION.**—The term “commemo-  
10 ration” means the commemoration of the 450th an-  
11 niversary of the founding of the settlement of St.  
12 Augustine, Florida.

13 (2) **COMMISSION.**—The term “Commission”  
14 means the St. Augustine 450th Commemoration  
15 Commission established by section 3(a).

16 (3) **GOVERNOR.**—The term “Governor” means  
17 the Governor of the State.

18 (4) **SECRETARY.**—The term “Secretary” means  
19 the Secretary of the Interior.

20 (5) **STATE.**—

21 (A) **IN GENERAL.**—The term “State”  
22 means the State of Florida.

23 (B) **INCLUSION.**—The term “State” in-  
24 cludes agencies and entities of the State of  
25 Florida.

1 **SEC. 4. ESTABLISHMENT.**

2 (a) IN GENERAL.—There is established a commis-  
3 sion, to be known as the “St. Augustine 450th Commemo-  
4 ration Commission”.

5 (b) MEMBERSHIP.—

6 (1) COMPOSITION.—The Commission shall be  
7 composed of 14 members, of whom—

8 (A) 3 members shall be appointed by the  
9 Secretary, after considering the recommenda-  
10 tions of the St. Augustine City Commission;

11 (B) 3 members shall be appointed by the  
12 Secretary, after considering the recommenda-  
13 tions of the Governor;

14 (C) 1 member shall be an employee of the  
15 National Park Service having experience rel-  
16 evant to the historical resources relating to the  
17 city of St. Augustine and the commemoration,  
18 to be appointed by the Secretary;

19 (D) 1 member shall be appointed by the  
20 Secretary, taking into consideration the rec-  
21 ommendations of the Mayor of the city of St.  
22 Augustine;

23 (E) 1 member shall be appointed by the  
24 Secretary, after considering the recommenda-  
25 tions of the Chancellor of the University System  
26 of Florida; and

1 (F) 5 members shall be individuals who are  
2 residents of the State who have an interest in,  
3 support for, and expertise appropriate to the  
4 commemoration, to be appointed by the Sec-  
5 retary, taking into consideration the rec-  
6 ommendations of Members of Congress.

7 (2) TIME OF APPOINTMENT.—Each appoint-  
8 ment of an initial member of the Commission shall  
9 be made before the expiration of the 120-day period  
10 beginning on the date of enactment of this Act.

11 (3) TERM; VACANCIES.—

12 (A) TERM.—A member of the Commission  
13 shall be appointed for the life of the Commis-  
14 sion.

15 (B) VACANCIES.—

16 (i) IN GENERAL.—A vacancy on the  
17 Commission shall be filled in the same  
18 manner in which the original appointment  
19 was made.

20 (ii) PARTIAL TERM.—A member ap-  
21 pointed to fill a vacancy on the Commis-  
22 sion shall serve for the remainder of the  
23 term for which the predecessor of the  
24 member was appointed.

1 (C) CONTINUATION OF MEMBERSHIP.—If  
2 a member of the Commission was appointed to  
3 the Commission as Mayor of the city of St. Au-  
4 gustine or as an employee of the National Park  
5 Service or the State University System of Flor-  
6 ida, and ceases to hold such position, that mem-  
7 ber may continue to serve on the Commission  
8 for not longer than the 30-day period beginning  
9 on the date on which that member ceases to  
10 hold the position.

11 (c) DUTIES.—The Commission shall—

12 (1) plan, develop, and carry out programs and  
13 activities appropriate for the commemoration;

14 (2) facilitate activities relating to the com-  
15 memoration throughout the United States;

16 (3) encourage civic, patriotic, historical, edu-  
17 cational, artistic, religious, economic, and other or-  
18 ganizations throughout the United States to orga-  
19 nize and participate in anniversary activities to ex-  
20 pand understanding and appreciation of the signifi-  
21 cance of the founding and continuing history of St.  
22 Augustine;

23 (4) provide technical assistance to States, local-  
24 ities, and nonprofit organizations to further the com-  
25 memoration;

1           (5) coordinate and facilitate for the public  
2       scholarly research on, publication about, and inter-  
3       pretation of, St. Augustine;

4           (6) ensure that the commemoration provides a  
5       lasting legacy and long-term public benefit by assist-  
6       ing in the development of appropriate programs; and

7           (7) help ensure that the observances of the  
8       foundation of St. Augustine are inclusive and appro-  
9       priately recognize the experiences and heritage of all  
10      individuals present when St. Augustine was founded.

11 **SEC. 5. COMMISSION MEETINGS.**

12       (a) INITIAL MEETING.—Not later than 30 days after  
13      the date on which all members of the Commission have  
14      been appointed, the Commission shall hold the initial  
15      meeting of the Commission.

16       (b) MEETINGS.—The Commission shall meet—

17           (1) at least 3 times each year; or

18           (2) at the call of the Chairperson or the major-  
19      ity of the members of the Commission.

20       (c) QUORUM.—A majority of the voting members  
21      shall constitute a quorum, but a lesser number may hold  
22      meetings.

23       (d) CHAIRPERSON AND VICE CHAIRPERSON.—

1           (1) ELECTION.—The Commission shall elect the  
2           Chairperson and the Vice Chairperson of the Com-  
3           mission on an annual basis.

4           (2) ABSENCE OF THE CHAIRPERSON.—The Vice  
5           Chairperson shall serve as the Chairperson in the  
6           absence of the Chairperson.

7           (e) VOTING.—The Commission shall act only on an  
8           affirmative vote of a majority of the members of the Com-  
9           mission.

10   **SEC. 6. COMMISSION POWERS.**

11          (a) GIFTS.—The Commission may solicit, accept, use,  
12          and dispose of gifts, bequests, or devises of money or other  
13          property for aiding or facilitating the work of the Commis-  
14          sion.

15          (b) APPOINTMENT OF ADVISORY COMMITTEES.—The  
16          Commission may appoint such advisory committees as the  
17          Commission determines to be necessary to carry out this  
18          Act.

19          (c) AUTHORIZATION OF ACTION.—The Commission  
20          may authorize any member or employee of the Commission  
21          to take any action that the Commission is authorized to  
22          take under this Act.

23          (d) PROCUREMENT.—

24                (1) IN GENERAL.—The Commission may pro-  
25                cure supplies, services, and property, and make or



1 enter into contracts, leases, or other legal agree-  
2 ments, to carry out this Act (except that a contract,  
3 lease, or other legal agreement made or entered into  
4 by the Commission shall not extend beyond the date  
5 of termination of the Commission).

6 (2) LIMITATION.—The Commission may not  
7 purchase real property.

8 (e) POSTAL SERVICES.—The Commission may use  
9 the United States mails in the same manner and under  
10 the same conditions as other agencies of the Federal Gov-  
11 ernment.

12 (f) GRANTS AND TECHNICAL ASSISTANCE.—The  
13 Commission may—

14 (1) provide grants in amounts not to exceed  
15 \$20,000 per grant to communities and nonprofit or-  
16 ganizations for use in developing programs to assist  
17 in the commemoration;

18 (2) provide grants to research and scholarly or-  
19 ganizations to research, publish, or distribute infor-  
20 mation relating to the early history of St. Augustine;  
21 and

22 (3) provide technical assistance to States, local-  
23 ities, and nonprofit organizations to further the com-  
24 memoration.

1 **SEC. 7. COMMISSION PERSONNEL MATTERS.**

2 (a) COMPENSATION OF MEMBERS.—

3 (1) IN GENERAL.—Except as provided in para-  
4 graph (2), a member of the Commission shall serve  
5 without compensation.

6 (2) FEDERAL EMPLOYEES.—A member of the  
7 Commission who is an officer or employee of the  
8 Federal Government shall serve without compensa-  
9 tion other than the compensation received for the  
10 services of the member as an officer or employee of  
11 the Federal Government.

12 (b) TRAVEL EXPENSES.—A member of the Commis-  
13 sion shall be allowed travel expenses, including per diem  
14 in lieu of subsistence, at rates authorized for an employee  
15 of an agency under subchapter I of chapter 57 of title  
16 5, United States Code, while away from the home or reg-  
17 ular place of business of the member in the performance  
18 of the duties of the Commission.

19 (c) DIRECTOR AND STAFF.—

20 (1) IN GENERAL.—The Chairperson of the  
21 Commission may, without regard to the civil service  
22 laws (including regulations), nominate an executive  
23 director to enable the Commission to perform the  
24 duties of the Commission.

1           (2) CONFIRMATION OF EXECUTIVE DIREC-  
2           TOR.—The employment of an executive director shall  
3           be subject to confirmation by the Commission.

4           (d) COMPENSATION.—

5           (1) IN GENERAL.—Except as provided in para-  
6           graph (2), the Commission may fix the compensation  
7           of the executive director and other personnel without  
8           regard to the provisions of chapter 51 and sub-  
9           chapter III of chapter 53 of title 5, United States  
10          Code, relating to classification of positions and Gen-  
11          eral Schedule pay rates.

12          (2) MAXIMUM RATE OF PAY.—The rate of pay  
13          for the executive director and other personnel shall  
14          not exceed the rate payable for level V of the Execu-  
15          tive Schedule under section 5316 of title 5, United  
16          States Code.

17          (e) DETAIL OF GOVERNMENT EMPLOYEES.—

18          (1) FEDERAL EMPLOYEES.—

19                (A) DETAIL.—At the request of the Com-  
20                mission, the head of any Federal agency may  
21                detail, on a reimbursable or nonreimbursable  
22                basis, any of the personnel of the agency to the  
23                Commission to assist the Commission in car-  
24                rying out the duties of the Commission under  
25                this Act.

1 (B) CIVIL SERVICE STATUS.—The detail of  
2 an employee under subparagraph (A) shall be  
3 without interruption or loss of civil service sta-  
4 tus or privilege.

5 (2) STATE EMPLOYEES.—The Commission  
6 may—

7 (A) accept the services of personnel de-  
8 tailed from the State; and

9 (B) reimburse the State for services of de-  
10 tailed personnel.

11 (f) PROCUREMENT OF TEMPORARY AND INTERMIT-  
12 TENT SERVICES.—The Chairperson of the Commission  
13 may procure temporary and intermittent services in ac-  
14 cordance with section 3109(b) of title 5, United States  
15 Code, at rates for individuals that do not exceed the daily  
16 equivalent of the annual rate of basic pay prescribed for  
17 level V of the Executive Schedule under section 5316 of  
18 such title.

19 (g) VOLUNTEER AND UNCOMPENSATED SERVICES.—  
20 Notwithstanding section 1342 of title 31, United States  
21 Code, the Commission may accept and use such voluntary  
22 and uncompensated services as the Commission deter-  
23 mines to be necessary.

24 (h) SUPPORT SERVICES.—

1           (1) IN GENERAL.—The Secretary shall provide  
2           to the Commission, on a reimbursable basis, such  
3           administrative support services as the Commission  
4           may request.

5           (2) REIMBURSEMENT.—Any reimbursement  
6           under this paragraph shall be credited to the appro-  
7           priation, fund, or account used for paying the  
8           amounts reimbursed.

9           (i) FACA NONAPPLICABILITY.—Section 14(b) of the  
10          Federal Advisory Committee Act (5 U.S.C. App.) shall not  
11          apply to the Commission.

12          (j) NO EFFECT ON AUTHORITY.—Nothing in this  
13          section supersedes the authority of the State, the National  
14          Park Service, the city of St. Augustine, or any designee  
15          of those entities, with respect to the commemoration.

16       **SEC. 8. PLANS; REPORTS.**

17          (a) STRATEGIC PLAN.—The Commission shall pre-  
18          pare a strategic plan for the activities of the Commission  
19          carried out under this Act.

20          (b) FINAL REPORT.—Not later than September 30,  
21          2015, the Commission shall complete and submit to Con-  
22          gress a final report that contains—

23                (1) a summary of the activities of the Commis-  
24                sion;

1           (2) a final accounting of funds received and ex-  
2       pended by the Commission; and

3           (3) the findings and recommendations of the  
4       Commission.

5   **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

6       (a) IN GENERAL.—There is authorized to be appro-  
7       priated to the Commission to carry out this Act \$500,000  
8       for each of fiscal years 2010 through 2016.

9       (b) AVAILABILITY.—Amounts made available under  
10      subsection (a) shall remain available until December 31,  
11      2016.

12   **SEC. 10. TERMINATION OF COMMISSION.**

13      (a) DATE OF TERMINATION.—The Commission shall  
14      terminate on December 31, 2016.

15      (b) TRANSFER OF DOCUMENTS AND MATERIALS.—  
16      Before the date of termination specified in subsection (a),  
17      the Commission shall transfer all documents and materials  
18      of the Commission to the National Archives or another  
19      appropriate Federal entity.

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